

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
No. 7:17-CV-00082-FL

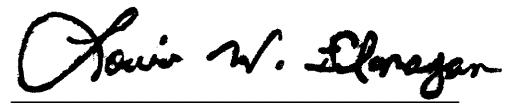
LAUREN M,ARIE GRIFFIN,)
)
)
Plaintiff,)
)
)
v.) ORDER
)
)
ANDREW SAUL,)
Commissioner of)
Social Security,)
)
)
Defendant.)
)

Plaintiff's counsel filed a motion for attorney fees under section 206(b) of the Social Security Act, 42 U.S.C. § 406(b), in the amount of \$16,430.71. Attorney's fees under section 206(b) are paid from past-due benefits awarded to a successful claimant. 42 U.S.C. § 406(b). Plaintiff has previously been awarded attorney's fees under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412, in the amount of \$2,130.00.

Defendant filed a response, stating that under *Gisbrecht v. Barnhart*, 535 U.S. 789 (2002), it is the duty of the Court to determine a reasonable fee.

It is ORDERED that Plaintiff's counsel be awarded fees under 42 U.S.C. § 406(b) in the amount of \$ 16,430.71, and refund to Plaintiff the smaller award between this amount and the EAJA award.

SO ORDERED, this 9th day of July, 2020.



LOUISE W. FLANAGAN
United States District Judge